

**EXHIBIT A**

TRUE COPY  
44th Circuit Court  
County Clerk's Office

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF LIVINGSTON

BARBIE LANGE, BRIANNA LANGE, and  
AUDRIANA SOMMERFELD,

Plaintiffs,

-vs-

CASE NO. 22-31912 -NI  
HON.

JOHN D. CROSBIE, and  
V GRAHAM & SONS TRUCKING, INC.

JUDGE GEDDIS  
P-35307

Defendants.

CHRISTOPHER TRAINOR & ASSOCIATES CHRISTOPHER J. TRAINOR (P42449) AMY J. DEROUIN (P70514) Attorneys for Plaintiffs 9750 Highland Road White Lake, MI 48386 (248) 886-8650 / (248) 698-3321-fax <a href="mailto:shanna.suver@cjtrainor.com">shanna.suver@cjtrainor.com</a> <a href="mailto:amy.derouin@cjtrainor.com">amy.derouin@cjtrainor.com</a>	
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*A civil action arising from one of the same transactions or occurrences of which is the subject matter of this lawsuit as to Plaintiff Audriana Sommerfeld only was previously filed with United States District Court, Docket # 21-11320 and assigned to Hon. Linda Parker. This case is still pending.*

**COMPLAINT AND JURY DEMAND**

NOW COME Plaintiffs, by and through their attorney CHRISTOPHER TRAINOR & ASSOCIATES, and for their Complaint states the following:

**GENERAL ALLEGATIONS**

1. The Plaintiff, BARBIE LANGE, is a resident of the City of Chino, County of San Bernardino, State of California.
2. The Plaintiff, BRIANNA LANGE, is a resident of the City of Ellenton, County of Manatee, State of Michigan.

3. The Plaintiff, AUDRIANNA SOMMERFELD, is a resident of the City of Ellenton, County of Manatee, State of Michigan.
4. The Defendant, JOHN D. CROSBIE is a resident of the City of Mundare, Province of Alberta, Country of Canada.
5. The Defendant, V GRAHAM & SONS TRUCKING, INC., in an Interstate DOT registered Company based in Alix, AB and authorized to do business through the United States, including Michigan and Canada.
6. The amount in controversy in this cause exceeds Twenty Five Thousand (\$25,000.00) Dollars exclusive of costs, interest and attorney fees.
7. This lawsuit arises out of an automobile accident, which occurred at approximately 7:39 p.m. at the intersection of US 23 Highway and Faussett Road in the Township of Tyrone, County of Livingston, State of Michigan.
8. On June 5, 2020, at the time and place indicated in the above paragraphs of this Complaint, Defendant JOHN G. CROSBIE was the operator and Defendant V GRAHAM & SONS TRUCKING, INC., was the owner of the 2018 Peterbuilt Tractor, being driven by Defendant JOHN G. CROSBIE.
9. On the above date, time, and place, Plaintiffs were passengers in a 1957 Oldsmobile 88 being driven by Eric Lesinski, bearing Michigan License plate number EG1167.
10. On the above date and place, Defendant JOHN G. CROSBIE failed to bring his vehicle to a stop at an assured clear distance, wherein he struck the vehicle Plaintiffs were passengers in from behind causing their vehicle to overturn causing grievous injuries to Plaintiffs.

**COUNT I - NEGLIGENCE OF DEFENDANT JOHN G. CROSBIE**

11. Plaintiffs incorporate by reference the preceding paragraphs 1-10.

12. Defendant JOHN G. CROSBIE owed to the Plaintiffs certain duties which the Defendant JOHN G. CROSBIE violated, and that the violation of these duties and obligations consisted of the following acts of negligence and breaches of duties owed to the Plaintiffs:

- a. Violation of Section 9.2327 of the Michigan Statutes Annotated, as amended, which provides that any person driving a motor vehicle on a highway shall drive the same at a careful and prudent speed, not greater than, nor less than is reasonable and proper, having due regard to the traffic, surface, and width of the highway, and of any other conditions then existing, and no person shall drive any vehicle on a highway at a greater speed within the assured clear distance ahead.
- b. Violation of the duty to exercise reasonable care and caution, and to observe other vehicles and pedestrians lawfully upon the roadway, particularly to the Plaintiffs.
- c. Violation of the duty to operate a motor vehicle so that collision with other vehicles or pedestrians would not ensue, particularly to the Plaintiffs.
- d. Violation of the duty to operate a motor vehicle in such a manner as to maintain the same under control, taking into account the grade of highway, general conditions then existing, and to maintain the said vehicle so that it could be safely halted.
- e. Violation of the duty to keep said motor vehicle under control at all times.
- f. Violation of Section 9.2405 of the Michigan Statutes Annotated, as amended, which provides that a person driving a vehicle on a highway shall equip his vehicle with brakes adequate to control the movement of, and to stop and hold the said vehicle.
- g. Violation of the duty to keep a proper lookout for traffic conditions then and there existing, or while keeping said lookout, and failing to heed such conditions.
- h. Violation of other duties not heretofore mentioned.

13. Plaintiffs' further states and alleges that at the time and place herein before set forth the Defendant, JOHN G. CROSBIE, did then and there negligently, carelessly, and without due regard for the rights of the Plaintiffs fail and neglect to operate his motor vehicle, as required, and as specifically set forth in the preceding paragraph of this Complaint.

14. As a consequence of Defendant, JOHN G. CROSBIE's negligence herein set forth, the Plaintiffs sustained serious and grievous injuries.

15. Plaintiffs further sustained injuries generally throughout their entire body, and sustained injuries and aggravations to pre-existing conditions whether known or unknown at the time.
16. In addition to the physical and mental injuries suffered by plaintiffs, they have also incurred damages both economic and non-economic in nature, including but not limited to, lost earnings, and non-economic damages including but not limited to, pain, suffering, and loss of normal function.
17. The injuries sustained by Plaintiffs constitute a serious impairment of body function, and serious and permanent disfigurement.

**COUNT II - OWNER'S LIABILITY AS TO DEFENDANT V GRAHAM & SONS TRUCKING, INC.**

18. The Plaintiffs incorporates by reference the preceding paragraphs 1-17.
19. That Defendant V GRAHAM & SONS TRUCKING, INC., owed a duty to Plaintiffs to entrust the vehicle titled in its name to a reasonably prudent person who would drive with care and circumspection so as to reasonably protect the safety, health, life and property of Plaintiffs, and further owed a duty to Plaintiffs, and others similarly situated, to act with due and reasonable care under all the circumstances.
20. Further, Defendant V GRAHAM & SONS TRUCKING, INC., actually or implicitly entrusted the vehicle involved in this accident to Defendant JOHN G. CROSBIE who, as Defendant V GRAHAM & SONS TRUCKING, INC., knew or should have known, was a negligent driver, by reason or lack of skill and judgment; and/or was not qualified to operate said motor vehicle in a wise and prudent manner.
21. Defendant JOHN G. CROSBIE was operating Defendant V GRAHAM & SONS TRUCKING, INC.'S vehicle with its express or implied consent.
22. Defendant V GRAHAM & SONS TRUCKING, INC., as owner of said Peterbuilt Tractor

is liable for Plaintiffs' injuries pursuant to MCL 257.401.

**WHEREFORE**, Plaintiffs, request judgment against each Defendant in whatever amount in excess of Twenty five Thousand (\$25,000.00) Dollars as is found to be reasonable and just, plus interest, costs and attorney fees so wrongfully sustained.

Respectfully submitted,  
CHRISTOPHER TRAINOR & ASSOCIATES

  
\_\_\_\_\_  
CHRISTOPHER J. TRAINOR (P42449)

AMY J. DEROUIN (P70514)

Attorneys for Plaintiffs

9750 Highland Road

White Lake, MI 48386

(248) 886-8650

Dated: June 1, 2022

CJT/sls

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF LIVINGSTON

BARBIE LANGE, BRIANNA LANGE, and  
AUDRIANA SOMMERFELD,

Plaintiffs,

-VS-

CASE NO. 22- *31518* -NI  
HON.

JOHN D. CROSBIE, and  
V GRAHAM & SONS TRUCKING, INC.

Defendants.

JUDGE GEDDIS  
P-35307

CHRISTOPHER TRAINOR & ASSOCIATES CHRISTOPHER J. TRAINOR (P42449) AMY J. DEROUIN (P70514) Attorneys for Plaintiffs 9750 Highland Road White Lake, MI 48386 (248) 886-8650 / (248) 698-3321-fax <a href="mailto:shanna.suver@cjtrainor.com">shanna.suver@cjtrainor.com</a> <a href="mailto:amy.derouin@cjtrainor.com">amy.derouin@cjtrainor.com</a>	
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**DEMAND FOR TRIAL BY JURY**

**NOW COME** Plaintiffs, by and through their attorneys, CHRISTOPHER TRAINOR & ASSOCIATES, and hereby makes a Demand for Trial by Jury in the above-entitled cause.

Respectfully submitted,  
CHRISTOPHER TRAINOR & ASSOCIATES

  
\_\_\_\_\_  
CHRISTOPHER J. TRAINOR (P42449)  
AMY J. DEROUIN (P70514)  
Attorneys for Plaintiffs  
9750 Highland Road  
White Lake, MI 48386  
(248) 886-8650

Dated: June 1, 2022  
CJT/sls



STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF LIVINGSTON

BARBIE LANGE, BRIANNA LANGE, and  
AUDRIANA SOMMERFELD,

Plaintiffs,

-vs-

CASE NO. 22-31512-NI  
HON. SUZANNE GEDDIS

JOHN D. CROSBIE, and  
V GRAHAM & SONS TRUCKING, INC.

Defendants.

CHRISTOPHER TRAINOR & ASSOCIATES CHRISTOPHER J. TRAINOR (P42449) AMY J. DEROUIN (P70514) Attorneys for Plaintiffs 9750 Highland Road White Lake, MI 48386 (248) 886-8650 / (248) 698-3321-fax <a href="mailto:shanna.suver@cjtrainor.com">shanna.suver@cjtrainor.com</a> <a href="mailto:amy.derouin@cjtrainor.com">amy.derouin@cjtrainor.com</a>	WILSON, ELSE, MOSKOWITZ, EDELMAN & DICKER LLP WILLIAM S. COOK (P68934) Attorney for Defendants 17197 N. Laurel Park Drive, Ste. 201 Livonia, MI 48152 313-327-3100 / 313-327-3101-fax <a href="mailto:william.cook@wilsonelser.com">william.cook@wilsonelser.com</a>
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ACCEPTANCE OF SERVICE

I, WILLIAM S. COOK, ESQ., hereby accept service of process of:

[X] The Summons and Complaint and Jury Demand in the above listed action on behalf of Defendants: **John D. Crosbie and V Graham & Sons Trucking, Inc., via email on June 15, 2022.**

Dated:

*William S. Cook - I consent*  
*guaranteed*  
WILLIAM S. COOK (P68934)  
Attorney for Defendants  
17197 N. Laurel Park Drive, Ste. 201  
Livonia, MI 48152  
313-327-3100 / 313-327-3101-fax  
[william.cook@wilsonelser.com](mailto:william.cook@wilsonelser.com)



## Shanna Suver

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**From:** Cook, William S. <William.Cook@wilsonelser.com>  
**Sent:** Wednesday, June 15, 2022 4:12 PM  
**To:** Shanna Suver  
**Cc:** Amy Derouin; Vatsal, Eisha  
**Subject:** RE: Lange v. Crosbie lawsuit

Hi Shanna -- Yes, you can submit that with my signature. Also, can you send that to me once it's filed with the court?  
Thanks.

Copying Eisha Vatsal here. She'll be helping me on this case.

William S. Cook  
Attorney at Law  
Wilson Elser Moskowitz Edelman & Dicker LLP  
Laurel Office Park III 17197 N. Laurel Park Drive, Suite 201  
Livonia, MI 48152  
313.327.3113 (Direct)  
517.420.0152 (Cell)  
313.327.3100 (Main)  
313.327.3101 (Fax)  
[william.cook@wilsonelser.com](mailto:william.cook@wilsonelser.com)

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**From:** Shanna Suver [mailto:[shanna.suver@cjtrainor.com](mailto:shanna.suver@cjtrainor.com)]  
**Sent:** Wednesday, June 15, 2022 3:15 PM  
**To:** Cook, William S. <William.Cook@wilsonelser.com>  
**Cc:** Amy Derouin <[amy.derouin@cjtrainor.com](mailto:amy.derouin@cjtrainor.com)>  
**Subject:** RE: Lange v. Crosbie lawsuit  
**Importance:** High

[EXTERNAL EMAIL]

Good Afternoon Mr. Cook:

Per your email below, it is my understanding you agreed to accept service of process on behalf of Defendants' John D. Crosbie and V Graham & Sons Trucking, Inc., in this matter. Therefore, attached please find the Summonses, Complaint and Jury Demand for your file. I also attached a copy of an Acceptance of Service form for your signature. Please review and advise if I have permission to sign your name to same for filing with the Court.

Thank you, I look forward to hearing from you soon.